

## Commonwealth of Massachusetts

SUFFOLK, ss.

REFERENCE NO.

H17-008861

To the Sheriffs of our several Counties, or their Deputies, or any  
Constable of any City or Town within our said Commonwealth:

December 27, 2000 GREETING.

WE command you to serve the below-described person or legal entity:



CITY OF BOSTON  
Thomas M. Menino  
Mayor

Lincoln Smith / Owner 282-4452  
6 Willis Street  
Dorchester, MA 02125

owner-occupant, tenant, or agent of property located in the City of Boston at:

436-6657

WD 13 11 Newport St #1 Elizabeth O Shea

The Commissioner of the Inspectional Services Department of the City of Boston has adjudged certain property which you own, manage, occupy or are in control of is in violation of 105 CMR 410.000 State Sanitary Code, Chapter II Minimum Standards of Fitness for Human Habitation. Authorized under Chapter 111, Section 127A of the Massachusetts General Laws or is in violation of other Massachusetts General Laws, or is in violation of certain ordinances of the City of Boston to wit:

## VIOLATION

- 1) Reg 500 - livingroom walls - worn + aged with soot from heating source. Repair/replace
- 2) Reg 500 - Bedroom left (#1) - worn + aged with soot from heating source. Repair/replace
- 3) Reg 500 - Bedroom left (#1) - door cracked and knob broken. Repair/replace
- 4) Reg 500 - Bedroom Right (#2) - walls + ceiling worn + aged; soot from heating source. Repair
- 5) Reg 500 - Bathroom walls/shower area and ceiling - caulking peeling, mild, stains. Repair
- 6) Reg 500 - Bedroom left (#3) - walls + ceiling worn + aged with soot. Repair/replace
- 7) Reg 500 - Kitchen Area - walls + ceiling worn + aged with soot. Repair/replace
- 8) Reg 602 A - Front Yard; side yard and Rear yard unsanitary with debris. Repair
- 9) Reg 601 - Basement Building - debris/garbage underneath stairs. Repair
- 10) Reg 500 - Basement ceiling Area going down stairs - chipping, peeling plaster. Repair
- 11) Reg 503 - Basement Area - stairway going into basement hand rail insufficient. Repair

HEREOF FAIL NOT, under penalty of law to comply with said Sanitary Code, within... 14... days.  
(Signed under the pains and penalties of perjury.)

Toney Jones  
Inspector  
TONEY JONES  
CONSTABLE-CITY OF BOSTON

635-5322  
X1403

Commissioner  
Boston Inspectional Services  
Housing Inspection

No.

(SEE REVERSE SIDE FOR FURTHER NOTICE)

Compensation Will Not Be Allowed Unless Officer's  
Return Contains a Bill of Items, Together with Affidavits

Boston.....12-28.....20 00

Officer's Return, Suffolk, ss.

By virtue of this writ, I this day served the before-described person or entity by:

- (1) personally, by any person authorized to serve civil process, or
- (2) by any person authorized to serve civil process by leaving a copy of the order at his last and usual place of abode, or
- (3) by sending him a copy of the order by registered or certified mail, return receipt requested, if he is within the Commonwealth, or
- (4) if his last and usual place of abode is unknown or outside the Commonwealth, by posting a copy of the order in a conspicuous place on or about the premises and by advertising it for at least three out of five consecutive days in one or more newspapers of general circulation within the municipality wherein the building or premises affected is situated.

A true copy.

Attest.....

(Please state title)

Fees,  
Service,  
Travel,

(If served other than personally please state reasons)

**PENALTY FOR FAILURE TO COMPLY WITH ORDER**

(105 CMR 410.910)

This correction order is a legal notice. Should you fail to comply with this order, 410 CMR 910 provides:

"Any person who shall fail to comply with any order issued pursuant to the provisions of 105 CMR 410.000 shall upon conviction, be fined not less than \$10.00 nor more than \$500.00. Each day's failure to comply with an order shall constitute a separate violation."

The Department may cause the violations to be corrected by condemnation, placarding or vacating of the dwelling, as provided for in 105 CMR 950. The Department may correct the violation by cleaning the dwelling or premises or by repairing or razing the dwelling and to charge the responsible person for all expenses and to have a lien upon the property to secure the said costs. See 105 CMR 410.960.

**RIGHT TO A HEARING**

(105 CMR 410.850)

The following persons may request a hearing to show cause why this order should be modified or withdrawn before the department by filing a written petition within seven days after this order was served:

- (A) Any person upon whom any order has been served pursuant to any regulation of 105 CMR 410.000 (except for an order issued after the requirements of 105 CMR 410.831 have been satisfied);
- (B) Any person aggrieved by failure of any inspector or other departmental personnel to inspect any premises upon request, to issue an inspection report; to certify the violations may endanger or impair the health or safety of the occupants; and to issue an order as required by 105 CMR 410.830

These petitions must be filed within 30 days of the non-occurrence of the requested action.

The petitioner has a right to inspect and copy all relevant reports, orders and notices in the possession of the department; the right to be represented at the hearing; and that any affected party has a right to appear at said hearing.

To the owner: the conditions which exist may permit the occupant of the dwelling to exercise one or more statutory remedies.

To request a hearing, or deliver your petition to:

Boston Inspectional Services  
Division of Housing Inspection  
1010 Massachusetts Avenue  
Boston, MA 02118